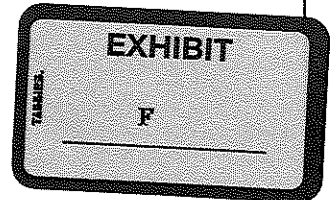


UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CIVIL ACTION NO. 04-197(E)



HAYNES INTERNATIONAL, INC.,)
a Delaware corporation,)

Plaintiff,)

-vs-)

ELECTRALLOY, a Division of)
G.O. Carlson, a Pennsylvania)
corporation,)

Defendant,)

CONFIDENTIAL: ATTORNEYS' EYES ONLY
THE DEPOSITION OF JAMES ARTHUR LAIRD

The deposition upon oral examination of James Arthur Laird, a witness produced and sworn before me, Rebecca J. Swinney, RMR-FCRR, a Notary Public in and for the County of Morgan, State of Indiana, taken on behalf of the Defendant at the offices of Haynes International, Inc., 1020 Park Avenue, Kokomo, Indiana, on the 30th of August, 2005, pursuant to the Federal Rules of Civil Procedure with written notice as to time and place being filed.

ESQUIRE DEPOSITION SERVICES
1880 John F. Kennedy Boulevard Center,
15th Floor
Philadelphia, Pennsylvania 19103
(215) 988-9191

CONFIDENTIAL: ATTORNEYS' EYES ONLY

APPEARANCES

FOR THE PLAINTIFF:

Lynn J. Alstadt, Esq.

BUCHANAN INGERSOLL

One Oxford Centre

301 Grand Street

20th Floor

Pittsburgh, PA 15219

412-562-1632

FOR THE DEFENDANT:

Emily J. Barnhart, Esq.

BLANK ROME, LLP

One Logan Square

18th & Cherry Streets

Philadelphia, PA 19103

215.569.5494

INDEX OF EXAMINATIONS

Page

Direct Examination

5

Questions By Ms. Barnhart

Cross-Examination,

231

Questions By Mr. Alstadt

CONFIDENTIAL: ATTORNEYS' EYES ONLY

1 JAMES ARTHUR LAIRD,
2 having been first duly sworn to tell the truth,
3 the whole truth and nothing but the truth relating to said
4 matter, was examined and testified further as follows:

5

6 DIRECT EXAMINATION,

7 QUESTIONS BY MS. BARNHART:

8 Q Okay. Could you please state
9 your full name for the record.

10 A Um-hum. James Arthur Laird.

11 Q Okay. And I'm going to go
12 over a few general rules and I apologize if
13 you've heard them before.

14 I remind you that you're
15 under oath today and our court reporter is
16 going to take down everything everyone in the
17 room is saying, and as a matter of courtesy
18 for everyone, especially the court reporter,
19 we just ask that you wait till a question is
20 finished and not speak over one another;
21 otherwise, it's so difficult for the court
22 reporter to take down what people are saying.

23 Also, if you could verbalize
24 "yes" or "no" rather than shaking your head

CONFIDENTIAL: ATTORNEYS' EYES ONLY

1 product.

2 Q And is it also typical that
3 in addition to the alloy name that Haynes
4 includes the Hastelloy trademark on its
5 products?

6 A I think where applicable that
7 is, probably, the practice.

8 Q So is every product produced
9 by Haynes, every form, able to be stamped
10 into the metal as these first four or so
11 pages show?

12 MR. ALSTADT: I'm going to
13 object to this. There's no showing,
14 there's been no evidence that this
15 marking is by stamping it into the
16 metal. In fact, I think there's
17 been other evidence introduced in
18 the record that shows it's either
19 stencilled on or roller marked on.
20 So --

21 QUESTIONS BY MS. BARNHART:

22 Q Can you explain how Haynes
23 marks its products when they are produced?

24 A We have automated ink jet

CONFIDENTIAL: ATTORNEYS' EYES ONLY

1 equipment that as the product comes off the
2 finishing line it automatically is marked
3 onto the product.

4 Q Onto the product itself?

5 A Yes.

6 Q And the markings are put on
7 with ink?

8 A It's some type of ink, yes.

9 Q Has this always been the way
10 Haynes' products are marked?

11 A As far as I know it is, yes.

12 Q So are the pages that we
13 looked at, 31, HE319 through HE322, are those
14 showing ink on the product?

15 A I believe so from what I can
16 see. It appears that way.

17 Q And is this, typically, how
18 Haynes marks its products with the ink stamp?

19 A Yes, typically, it's an ink,
20 as Lynn indicated, it's roller marked or it's
21 an ink jet process.

22 Q And do you have familiarity
23 with how long the ink stays on the product?

24 A I've not known it to come off

CONFIDENTIAL: ATTORNEYS' EYES ONLY

1 A I believe so.

2 Q And has Corrosion Materials
3 been contacted more than once with respect to
4 Haynes' C-22?

5 A That, I don't know.

6 Q And what is your, what is
7 your understanding of the issue that Haynes
8 has with respect to its C-22 mark and
9 Corrosion Materials?

10 A It was how it was being used
11 and not being, if I recall correctly, not
12 being referenced properly with respect to
13 ownership of the trademark.

14 Q Do you know how Corrosion
15 Materials was using --

16 A I don't remember.

17 Q Do you believe that C-22 is a
18 strong mark?

19 A Yes, I do.

20 Q Do you believe that customers
21 or potential customers in the marketplace
22 view C-22 as exclusively designating Haynes
23 as a source of the N06022 product?

24 A Yes, I do.